

SECTOR  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John B. Harley, Judith A. James, and Kenneth M. Kaufman

Serial No.: 09/500,904

Group Art Unit: Not yet assigned

Filed: February 9, 2000

Examiner: Not yet assigned

For: *DIAGNOSTICS AND THERAPY OF EPSTEIN-BARR VIRUS IN  
AUTOIMMUNE DISORDERS*

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Sir:

Applicants enclose the following for filing in the above-identified application:

1. Declaration of Inventorship executed by John B. Harley, Judith A. James, and  
Kenneth M. Kaufman;

2. Statement Claiming Small Entity Status (37 C.F.R. §§ 1.9(f) and 1.27(d) ---  
Non-Profit Organization) executed by Oklahoma Medical Research Foundation;

3. Statement Under 37 C.F.R. § 3.73(b) executed by assignee Oklahoma Medical  
Research Foundation, with attached copies of the (a) executed Assignment from Judith A. James  
and Kenneth M. Kaufman to Oklahoma Medical Research Foundation, (b) executed Assignment  
from John B. Harley to The Board of Regents of the University of Oklahoma, and (c) executed

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65.00 3P

Assignment from The Board of Regents of the University of Oklahoma to Oklahoma Medical Research Foundation;

4. Statement Claiming Small Entity Status (37 C.F.R. §§ 1.9(f) and 1.27(d) --- Nonprofit Organization) executed by licensee The Board of Regents of The University of Oklahoma; and

5. Check in the amount of \$65.00 for the small entity surcharge for late filing the Declaration of Inventorship.

Applicants have not yet received the Notice to File Missing Parts of Nonprovisional Application.

Please charge any other fees due, or credit any overpayment, in connection with this matter to Deposit Account No. 01-2507. A duplicate of this transmittal is enclosed to facilitate this process.

Respectfully submitted,



---

Patrea L. Pabst  
Reg. No. 31,284

Date: April 10, 2000

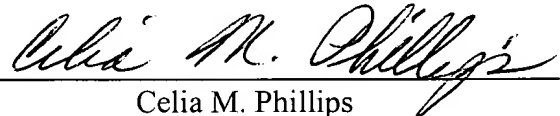
ARNALL GOLDEN & GREGORY, LLP  
2800 One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3450  
404-873-8794 (telephone)  
404-873-8795 (fax)

U.S.S.N.: 09/500,904  
Filed: February 9, 2000  
RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION



**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this Response to Notice to File Missing Parts of Nonprovisional Application, together with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Celia M. Phillips

Date: April 10, 2000



Please type a plus sign (+) inside the box → ☐

PTO/SB/01 (12-97)  
Approved for use through 9/30/00. OMB 0651-0032  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b> <b>(37 CFR 1.63)</b>  <input type="checkbox"/> Declaration Submitted with Initial Filing      OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	<b>Attorney Docket Number</b>	OMRF 161 CIP
	<b>First Named Inventor</b>	John B. Harley
	<b>COMPLETE IF KNOWN</b>	
	<b>Application Number</b>	09 / 500,904
	<b>Filing Date</b>	February 9, 2000
	<b>Group Art Unit</b>	
	<b>Examiner Name</b>	

**As a below named inventor, I hereby declare that:**

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**DIAGNOSTICS AND THERAPY OF EPSTEIN-BARR VIRUS IN AUTOIMMUNE DISORDERS**

the specification of which *(Title of the Invention)*

☐ is attached hereto  
OR  
☒ was filed on (MM/DD/YYYY) **02/09/2000** as United States Application Number or PCT International Application Number **09/500,904** and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

☐ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

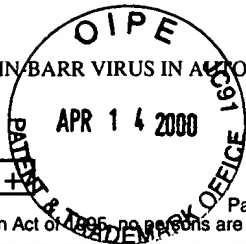
{Page 1 of 2}

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

OMRF 161 CIP  
20487/256

Filed: February 9, 2000

DIAGNOSTICS AND THERAPY OF EPSTEIN-BARR VIRUS IN AUTOIMMUNE DISORDERS



Please type a plus sign (+) inside this box →

+

PTO/SB/01 (12-97)

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
08/781,296	01/13/1997	

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer Number Bar Code Label here

Name	Registration Number	Name	Registration Number
Patrea L. Pabst	31,284		
Robert A. Hodges	41,074		
Kevin W. King	42,737		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number or Bar Code Label ☒ Correspondence address below

Name	Patrea L. Pabst				
Address	Arnall Golden & Gregory, LLP				
Address	2800 One Atlantic Center, 1201 West Peachtree Street				
City	Atlanta	State	GA	ZIP	30309-3450
Country	United States	Telephone	(404)873-8794	Fax	(404)873-8795

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))			Family Name or Surname		
John B.			Harley		
Inventor's Signature					Date
Residence: City	Oklahoma City	State	OK	Country	USA
Post Office Address	439 Northwest 20th Street				
Post Office Address					
City	Oklahoma City	State	OK	ZIP	73103
				Country	US

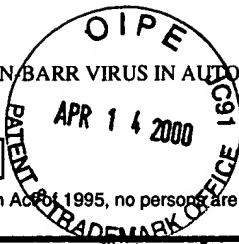
☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

Filed: February 9, 2000

DIAGNOSTICS AND THERAPY OF EPSTEIN-BARR VIRUS IN AUTOIMMUNE DISORDERS


Please type a plus sign (+) inside this box → ☐

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PTO/SB/02A (3-97)  
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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> <b>Supplemental Sheet</b> Page <u>1</u> of <u>1</u>
--------------------	---

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Judith A.				James			
Inventor's Signature						Date	3/2/00
Residence: City	Edmond	State	OK	Country	USA	Citizenship	US
Post Office Address	2200 Summer Hollow Lane						
Post Office Address							
City	Edmond	State	OK	ZIP	73013	Country	US
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Kenneth M.				Kaufman			
Inventor's Signature						Date	
Residence: City	Oklahoma City	State	OK	Country	USA	Citizenship	US
Post Office Address	708 Northeast 21st Street						
Post Office Address							
City	Oklahoma City	State	OK	ZIP	73105	Country	US
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

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OMRF 161 CIP

20487/256

DIAGNOSTICS AND THERAPY OF EPSTEIN-BARR VIRUS IN AUTOIMMUNE DISORDERS

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APR 14 2000

FTO/SB/02A (3-97)

Approved for use through 9/30/98. OMB 0651-0092

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+ Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## DECLARATION

## ADDITIONAL INVENTOR(S)

## Supplemental Sheet

Page 1 of 1

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Judith A.				James			
Inventor's Signature						Date	
Residence: City	Edmond	State	OK	Country	USA	Citizenship	US
Post Office Address	2200 Summer Hollow Lane						
Post Office Address							
City	Edmond	State	OK	ZIP	73013	Country	US
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Kenneth M.				Kaufman			
Inventor's Signature	<i>Kenneth M Kaufman</i>					Date	4-10-00
Residence: City	Oklahoma City	State	OK	Country	USA	Citizenship	US
Post Office Address	708 Northeast 21st Street						
Post Office Address							
City	Oklahoma City	State	OK	ZIP	73105	Country	US
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature						Date	
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

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OMRF 161 CIP

20487/256

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: John B. Harley, Judith A. James, and Kenneth M. Kaufman

Application No./Patent No. 09/500,904 Filed/Issue Date: February 9, 2000

Entitled: DIAGNOSTICS AND THERAPY OF EPSTEIN-BARR VIRUS IN AUTOIMMUNE DISORDERS

Oklahoma Medical Research Foundation, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- ☒ the assignee of the entire right, title, and interest; or
- ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:  
Judith A. James and

1. From: Kenneth M. Kaufman To: Oklahoma Medical Research Foundation  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: John B. Harley To: The Board of Regents of the University of Oklahoma  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

The Board of Regents of  
3. From: the University of Oklahoma To: Oklahoma Medical Research Foundation  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

April 10, 2000

Date

J. Donald Capra  
Signature

J. Donald Capra

Typed or printed name

President

Title

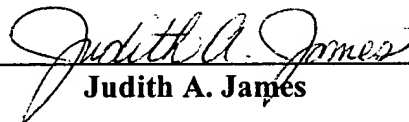
## ASSIGNMENT

We, Judith A. James of 2200 Summer Hollow Lane, Edmond, Oklahoma 73013, and Kenneth M. Kaufman of 708 N.E. 21<sup>st</sup> Street, Oklahoma City, Oklahoma 73105, in consideration of ten dollars and other valuable consideration paid to us by Oklahoma Medical Research Foundation, a corporation of the State of Oklahoma, having its principal place of business at 825 N.E. 13th Street, Oklahoma City, Oklahoma 73104, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said Oklahoma Medical Research Foundation, its successors and assigns, the entire interest for the United States of America, and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property, in a certain invention or improvement in "*Diagnostics and Therapy of Epstein-Barr Virus in Autoimmune Disorders*" described in U.S. Application Serial No. 09/500,904 filed in the United States Patent and Trademark Office on February 9, 2000, by John B. Harley, Judith A. James, and Kenneth M. Kaufman, which is a continuation-in-part of U.S. Application Serial No. 08/781,296 filed in the U.S. Patent and Trademark Office on January 13, 1997, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any provisional, divisional, continuation, continuation-in-part, reissue, or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said corporation and its successors and assigns, but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation, and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

Title: "Diagnostics and Therapy of Epstein-Barr Virus in Autoimmune Disorders"  
By: John B. Harley, Judith A. James, and Kenneth M. Kaufman  
Filed: February 9, 2000  
ASSIGNMENT

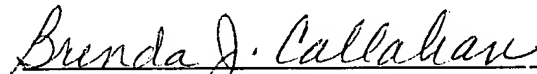
And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand and seal this 03 day of March, 2000.

  
\_\_\_\_\_  
Judith A. James

State of Oklahoma )  
County of Oklahoma )

Then personally appeared the above named Judith A. James and acknowledged the foregoing instrument to be her free act and deed, before me this 3rd day of March, 2000.

  
\_\_\_\_\_  
Notary Public

My Commission expires: December 10, 2001

Title: "Diagnostics and Therapy of Epstein-Barr Virus in Autoimmune Disorders"  
By: John B. Harley, Judith A. James, and Kenneth M. Kaufman  
Filed: February 9, 2000  
ASSIGNMENT

WITNESS my hand and seal this 10 day of April, 2000.

Kenneth M. Kaufman  
Kenneth M. Kaufman

State of Oklahoma )

County of Oklahoma )

Then personally appeared the above named Kenneth M. Kaufman and  
acknowledged the foregoing instrument to be his free act and deed, before me this  
10th day of April, 2000.

Brenda J. Callahan  
Notary Public

My Commission expires: Dec. 10, 2001



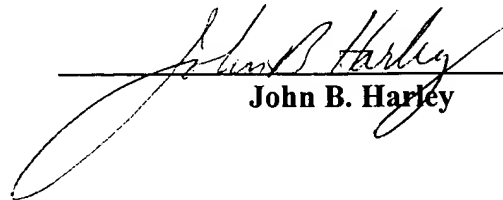
# ASSIGNMENT

I, John B. Harley of 439 N.W. 20th Street, Oklahoma City, Oklahoma 73103, in consideration of ten dollars and other valuable consideration paid to me by The Board of Regents of the University of Oklahoma, a legal entity of the State of Oklahoma, having its principal place of business at 660 Parrington Oval, Evans Hall, Norman, Oklahoma 73019, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said The Board of Regents of the University of Oklahoma, its successors and assigns, the entire interest for the United States of America, and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property, in a certain invention or improvement in "*Diagnostics and Therapy of Epstein-Barr Virus in Autoimmune Disorders*" described in U.S. Application Serial No. 09/500,904 filed in the United States Patent and Trademark Office on February 9, 2000, by John B. Harley, Judith A. James, and Kenneth M. Kaufman, which is a continuation-in-part of U.S. Application Serial No. 08/781,296 filed in the U.S. Patent and Trademark Office on January 13, 1997, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any provisional, divisional, continuation, reissue, or other applications based in whole or in part thereon. And I agree, for myself and my executor and administrator, with said legal entity and its successors and assigns, but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said legal entity, with specifications and claims in such form as shall be approved by the counsel of said legal entity, and to vest and confirm in said legal entity, its successors and assigns, the legal title to all such patents.

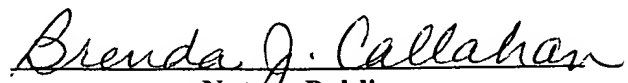
And I do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said legal entity, its successors and assigns.

WITNESS my hand and seal this 20 day of March, 2000.

State of Oklahoma )  
County of Oklahoma )

  
John B. Harley

Then personally appeared the above named John B. Harley and acknowledged the foregoing instrument to be his free act and deed, before me this 20th day of March, 2000.

  
Brenda J. Callahan  
Notary Public

My Commission expires: December 10, 2001

## ASSIGNMENT

WHEREAS, The Board of Regents of The University of Oklahoma, a legal entity of Oklahoma, having its principal place of business at 660 Parrington Oval, Evans Hall, Norman, Oklahoma 73019, (hereinafter "Assignor") owns an undivided part right, title and interest in the United States and all foreign countries, in and to a certain invention or improvement in "*Diagnostics and Therapy of Epstein-Barr Virus in Autoimmune Disorders*" described in U.S. Application Serial No. 09/500,904 filed February 9, 2000, with the United States Patent and Trademark Office ("the Property"), which is a continuation-in-part of U.S. Application Serial No. 08/781,296 filed in the U.S. Patent and Trademark Office on January 13, 1997.

WHEREAS, Assignor desires to assign all of its right, title and interest in and to said invention and patent application to Oklahoma Medical Research Foundation, a corporation of the State of Oklahoma having its principal place of business at 825 N.E. 13th Street, Oklahoma City, Oklahoma 73104, (hereinafter "Assignee").

NOW, THEREFORE, in consideration of Ten Dollars and other valuable consideration paid to Assignor by Assignee, the receipt of which is hereby acknowledged, Assignor does hereby sell, assign and transfer unto Assignee, its successors and assigns, its undivided part interest for the United States of America and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in the Property, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any divisional, continuation, reissue or other applications based in whole or in part thereon. Assignor agrees for itself, and its successors and assigns but at the expense of Assignee, to hereafter execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said Assignee, with specifications and claims in such form as shall be approved

*"Diagnostics and Therapy of Epstein-Barr Virus in Autoimmune Disorders"*

By: John B. Harley, Judith A. James and Kenneth M. Kaufman

Filed: February 9, 2000

ASSIGNMENT

by the counsel of Assignee and to vest and confirm in Assignee, its successors and assigns, the legal title to all such patents.

WITNESS my hand and seal this 23<sup>rd</sup> day of March, 2000.

THE BOARD OF REGENTS OF  
THE UNIVERSITY OF OKLAHOMA

By: W. Arthur Porter  
Officer of Assignor

State of Oklahoma )  
County of Cleveland )

Then personally appeared the above named W. Arthur Porter, an Officer of Assignor The Board of Regents of The University of Oklahoma, and acknowledged the foregoing instrument to be his/her free act and deed, before me, this 23<sup>rd</sup> day of March, 2000.

Patricia D. Yarnall  
Notary Public

My Commission expires May 26, 2000



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION**

Docket Number (Optional)  
**OMRF 161 CIP**

Applicant, Patentee, or Identifier: John B. Harley, Judith A. James, and Kenneth M. Kaufman  
Application or Patent No.: 09/500,904  
Filed or Issued: February 9, 2000  
Title: DIAGNOSTICS AND THERAPY OF EPSTEIN-BARR VIRUS IN AUTOIMMUNE DISORDERS

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION Oklahoma Medical Research Foundation  
ADDRESS OF NONPROFIT ORGANIZATION 825 N.E. 13th Street  
Oklahoma City, Oklahoma 73104

**TYPE OF NONPROFIT ORGANIZATION:**

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
- ☒ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE Oklahoma )  
(CITATION OF STATUTE Okl. Stat. 18-863, et seq. )
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))  
IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_ )  
(CITATION OF STATUTE \_\_\_\_\_ )

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
- ☒ each such person, concern, or organization is listed below.  
The Board of Regents of the University of Oklahoma  
660 Parrington Oval, Evans Hall, Norman, Oklahoma 73019

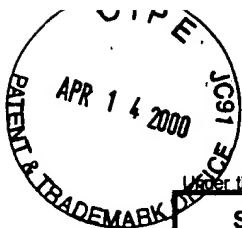
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING J. Donald Capra

TITLE IN ORGANIZATION OF PERSON SIGNING President

ADDRESS OF PERSON SIGNING 825 N.E. 13th Street, Oklahoma City, OK 73104

SIGNATURE [Signature] DATE April 10, 2000



**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION**

Docket Number (Optional)  
**OMRF 161 CIP**

Applicant, Patentee, or Identifier: John B. Harley, Judith A. James, and Kenneth M. Kaufman  
Application or Patent No.: 09/500,904  
Filed or Issued: February 9, 2000  
Title: DIAGNOSTICS AND THERAPY OF EPSTEIN-BARR VIRUS IN AUTOIMMUNE DISORDERS

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION The Board of Regents of the University of Oklahoma  
ADDRESS OF NONPROFIT ORGANIZATION 660 Parrington Oval, Evans Hall  
Norman, Oklahoma 73019

**TYPE OF NONPROFIT ORGANIZATION:**

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_ )  
(CITATION OF STATUTE \_\_\_\_\_ )
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))  
IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_ )  
(CITATION OF STATUTE \_\_\_\_\_ )

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.  
☒ each such person, concern, or organization is listed below.  
Oklahoma Medical Research Foundation  
825 N.E. 13th Street, Oklahoma City, Oklahoma 73104

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING W. Arthur Porter, Ph.D.  
TITLE IN ORGANIZATION OF PERSON SIGNING University Vice President for Technology Development  
ADDRESS OF PERSON SIGNING 660 Parrington Oval, Evans Hall 201, Norman, OK  
SIGNATURE W. Arthur Porter DATE 3/23/00 73019

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